

REMARKS

Claims 3, 4, 13 and 14 are pending in this application. By this Amendment, claims 3 and 4 are amended. Claims 13 and 14 are added. The amendments and added claims introduce no new matter. Claims 1 and 12 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. A Request for Continued Examination is attached. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 2, indicates that claim 12 remains withdrawn from consideration. Claim 12 is canceled.

The Office Action, in paragraph 3, rejects claims 1, 3 and 4 under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The claims are amended to obviate the rejection and remove the specifically objected-to language from the independent claim. Accordingly, reconsideration and withdrawal of the rejection of claims 3 and 4 under 35 U.S.C. §112, second paragraph, are respectfully requested.

The Office Action, in paragraph 4, rejects claims 1, 3 and 4 under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over, U.S. Patent No. 4,279,683 to Landsness or DE 191831 747 A1 to Continental alone, or either of these references taken further in view of U.S. Patent No. 5,380,384 to Tokunaga et al. (hereinafter "Tokunaga"). These rejections are respectfully traversed.

Landsness teaches a machine for winding a flat ribbon onto a tire carcass (col. 4, lines 4 and 5) and an apparatus for applying a flexible rubber-like strip onto a green tire (col. 4, lines 39-240).

Continental teaches a process to make tires in two stages with intermediate vulcanization. Tire carcass and partial belt back are applied and vulcanized to a predetermined cross section with reinforcements, in a mold (Abstract).

The Office Action continues to maintain that the combinations of features positively recited in the pending claims are taught, or reasonably would have been suggested, by one or the other of these references alone or in combination with Tokunaga.

Added independent claim 13 clarifies that a widthwise center portion of a substantially cylindrical carcass band is radially outwardly expanded and an unvulcanized rubber strip is successively wound and joined onto and at a peripheral surface of the expanded carcass band to form at least one tire constitutive member. Claim 13 specifically clarifies that the successively winding and joining step is carried out after the radially outwardly expanding step. In this regard, even if the tire constitutive member has a complicated shape, this process makes possible the production of the tire constitutive member simply, easily and precisely without being restricted by requirements imposed by conventional tire building processes and/or equipment. Applicants specification, at least at paragraph [0010], discusses these unanticipated advantages of the subject matter of the pending claims.

For their part, each of Landsness and Continental disclose that a rubber strip is wound and laminated on a support having a shape similar to a product tire. However, these references fail to teach, or reasonably to have suggested, winding of the rubber strip after the radial expansion of the carcass band to provide, for example, the significant advantageous effects that as are enumerated as among the unanticipated benefits achieved by the subject matter of the pending claims.

Prior art processes, as are discussed in Applicants' disclosure, for example, at paragraph [0003], often result in precision with regard to winding position being degraded, or irregularities being developed at the joints between different constitutive members wound

around a tire shaping drum due to differences in circumferential length between inner and outer members when the substantially cylindrical carcass band is expanded radially. Neither of Landsness nor Continental recognizes such a problem since the disclosed carcass bands are not expanded radially before winding of the rubber strip. Simply because Tokunaga discloses a radial expansion of a substantially cylindrical carcass band does not overcome the above-identified shortfalls in the specification of the other references to the subject matter of the pending claims. In fact, Tokunaga does not recognize these difficulties because it fails to teach, or reasonably to have suggested, a winding of a rubber strip after the radial expansion of the carcass band to provide the advantageous effects produced by the subject matter of the pending claims.

In other words, the objectives addressed by the subject matter of the pending claims are not recognized in any of the applied references, and no objective evidence of record has been provided to indicate that this problem is otherwise recognized in the prior art.

Clearly, neither of Landsness nor Continental teach the combination of features now recited in independent claim 13, as discussed above. Further, one of ordinary skill in the art would not have been motivated to combine Landsness or Continental with Tokunaga in the manner suggested. Such a combination of references can only be arrived at through the improper application of hindsight reasoning based on the road map provided by Applicants' disclosure.

For at least the above reasons, Landsness or Continental, even when taken in combination with Tokunaga, cannot reasonably be considered to teach, or to have suggested, the combination of all of the features positively recited in independent claim 13. Claims 3 and 4 are not suggested by any combination of the applied references for at least the dependence of these claims on independent claim 13, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 3 and 4 under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over, the applied references are respectfully requested.

For the totality of the reasons set forth above, added independent claim 13 would not have been suggested by the applied references, in any combination, and added claim 14 would not have been suggested by the references for at least its dependence on an allowable base claim.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 3, 4, 13 and 14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time
Request for Continued Examination

JAO:DAT/cfr

Date: November 23, 2007

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